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September 13, 2017

**By ECF**

Honorable Keith Ellison  
United States District Judge  
United States District Court  
Southern District of Texas  
515 Rusk Avenue, Courtroom 3A  
Houston, Texas 77002

Re: *N. Cypress Med. Ctr. Operating Co., et al. v. Cigna Healthcare, et al.*, Case No.  
4:09-cv-02556

Dear Judge Ellison:

I wrote yesterday to inform the Court of a potential scheduling conflict between the October 10, 2017 trial date set by the Court and the upcoming oral argument before the U.S. Court of Appeals for the Fifth Circuit in *Connecticut General Life Insurance Co., et al. v. Humble Surgical Hospital, LLC*, C.A. No. 16-20398. Today, the Fifth Circuit notified me that the oral argument will go forward on September 25, 2017, so there will not be a conflict.

Respectfully,

/s/ Joshua Simon  
Joshua Simon

CC: All Counsel via ECF